

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE, WSBN 32245
Associate General Counsel
Office of Program Litigation, Office 7
Social Security Administration
SHARON LAHEY, CSBN 263027
Special Assistant United States Attorney
160 Spear Street, Suite 800
San Francisco, California 94105
Telephone: (510) 970-4827
E-Mail: Sharon.Lahey@ssa.gov

Attorneys for Defendant

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

JUANITA ELIZABETH HERNANDEZ,
Plaintiff,
vs.
KILOLO KIJAKAZI,
Acting Commissioner of Social Security,
Defendant.

) Case No.: 1:22-cv-00859-SKO
) STIPULATION AND UNOPPOSED
) MOTION FOR VOLUNTARY REMAND TO
) AGENCY PURSUANT TO SENTENCE
) FOUR OF 42 U.S.C. § 405(g) AND ENTRY
) OF JUDGMENT; ORDER
) (Doc. 20)
)
)

IT IS HEREBY STIPULATED by and between Juanita Elizabeth Hernandez (Plaintiff) and Kilolo Kijakazi, Acting Commissioner of Social Security (Defendant), by and through their undersigned counsel of record, that the above-entitled action shall be remanded to the United States Social Security Administration (the “Agency”) for further administrative proceedings. Upon remand, the Agency will vacate the Administrative Law Judge’s decision, re-evaluate the evidence, and issue a new decision. The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final

1 decision of the Commissioner. This stipulation constitutes a remand under the fourth sentence
2 of Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

3 Respectfully submitted,

4 Dated: May 8, 2023 PENA & BROMBERG PLC

5 By: /s/ Jonathan O. Pena
6 JONATHAN O. PENA
7 Attorney for Plaintiff
8 *Authorized via e-mail

9 Dated: May 8, 2023 PHILLIP A. TALBERT
10 United States Attorney

11 By: /s/ Sharon Lahey
12 SHARON LAHEY
13 Special Assistant United States Attorney
Attorneys for Defendant

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15 **ORDER**

16 Based upon the parties' Stipulation and Unopposed Motion for Voluntary Remand
17 Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to
18 Remand") (Doc. 20), and for cause shown, IT IS ORDERED that the above-captioned action is
19 remanded to the Agency for further proceedings consistent with the terms of the Stipulation to
20 Remand.

21 The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant,
22 vacating and reversing the final decision of the Commissioner and thereafter close this case.
23

24 IT IS SO ORDERED.

25 Dated: May 8, 2023

/s/ Sheila K. Oberto
26 UNITED STATES MAGISTRATE JUDGE